IN THE HIGH COURT OF JUDICATURE AT BOMBAY
APPELLATE SIDE CIVIL JURISDICTION

LETTERS PATENT APPEAL NO.59 OF 2007

Hasannuddin F.Ansari and ors. ..Appellants.
Vs.
Mr.Shaikh Mohd. Hanif Chandmiya and ors. ..Respondents.

Mr.V.S.Thorat, Sr. Advocate for the Appellants.
Mr. A.S.Desai for the Respondent Nos. 1 to 7.
Mr. V.S.Gokhale for the Respondent Nos. 8,10 and 14.
Mr.J.S.Suryawanshi for the Respondent Nos. 12 & 13.

CORAM: S.B. MHASE &
R.S. MOHITE, JJ.
DATE : 21st March, 2007

P.C.

1. Mr.Thorat, the learned counsel for the appellants submitted that the grievance of the appellants will be redressed if it is clarified that as a result of the order Paragraph 2 Clause (vii) passed on 24.1.2007 in Writ Petition No.253 of 2007 by the Single Judge of this court, the order passed by the Division Bench in Writ Petition No.6277 of 2000 on 21.11.2000 is not modified and the Division Bench order is binding on a newly elected Managing Committee of the respondent-Indira Co.op. Housing Society. The learned counsel who appears for the said society states that it is an accepted position in law that as a result of the order passed by the single Judge, the Division Bench has not modified the same and the same would be binding even on

the newly elected Managing Committee of Indira Co.op. Housing Society. In view of the concession given, we clarified that the order passed in Writ Petition No.6277 of 2000 by the Division Bench of this court on 21.11.2000 is in force and will be binding as against the newly elected Managing Committee of Indira Co.op. Housing Society till the disposal of the said writ petition and the said order is not in any way modified by order passed by the Single Judge on 24.1.2007 in Writ Petition No.253 of 2007. With these observations, we dispose of this appeal.

(R.S. MOHITE, J.) **(S.B. MHASE, J.)**

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
APPELLATE SIDE CIVIL JURISDICTION

CIVIL APPLICATION NO.51 OF 2007 IN LPA NO.59 OF 2007

Hasannuddin F.Ansari and ors. ..Applicants.
Vs.
Mr.Shaikh Mohd. Hanif Chandmiya and ors. ..Respondents.

Mr.V.S.Thorat, Sr. Advocate for the Applicants.
Mr. A.S.Desai for the Respondent Nos. 1 to 7.
Mr. V.S.Gokhale for the Respondent Nos. 8,10 and 14.
Mr.J.S.Suryawanshi for the Respondent Nos. 12 & 13.

CORAM: S.B. MHASE &
R.S. MOHITE, JJ.
DATE : 21st March, 2007

P.C.

1. In view of the disposal of the Appeal, civil application is disposed of.

(R.S. MOHITE, J.) **(S.B. MHASE, J.)**